



23 JUL 2007

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In re Application of :
SWEDIN, Anders :
Application No.: 10/575,622 :
PCT No.: PCT/SE04/01447 :
Int. Filing Date: 12 October 2004 :
Priority Date: 13 October 2003 :
Attorney Docket No.: 08806.0192 :
For: TOUCH SENSITIVE DISPLAY DEVICE :

DECISION
&
NOTIFICATION
OF ABANDONMENT

This decision is issued in response to applicant's "Petition under 37 CFR 1.181" filed in the United States Patent and Trademark Office (USPTO) on 10 July 2007. No petition fee is due.

BACKGROUND

On 12 October 2004, applicant filed international application PCT/SE04/01447 which claimed a priority date of 13 October 2003. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 21 April 2005. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee was to expire 30 months from the priority date, or at midnight on 13 April 2006.

On 13 April 2006, applicant filed a request to enter into the national stage under 35 U.S.C. 371 along with, among other things, a copy of the international application, and an information disclosure statement. The basic national fee was not submitted.

On 23 October 2006, the United States Designated/Elected Office (DO/EO/US) mailed a Notice of Insufficient Basic National Fee Required and/or Missing Copy of the International Application under 35 U.S.C. 371 and 37 CFR 1.495 (Form PCT/DO/EO/912). The notification indicated that the basic national fee had not been received.

On 06 November 2006, applicant filed "Response to Notice of Insufficient Basic National Fee Required and/or Missing Copy of International Application" which included: the \$150 basic national fee; a preliminary amendment; and an executed Declaration claiming small entity status.

On 24 November 2006, a Notification of Acceptance was issued identifying the 35 U.S.C. 371(c) date as 06 November 2006. Subsequently, an Official Filing Receipt was issued indicating a "FILING DATE" of 06 November 2006.

On 10 July 2007, applicant filed the present request which included a combined declaration and power of attorney executed by sole inventor, Anders SWEDIN.

DISCUSSION

A review of the application file and other United States Patent and Trademark Office records reveals that the requirements of 35 U.S.C. 371(c) for entry into the national stage in the United States of America have not been completed as indicated in the Notification of Acceptance mailed by the DO/EO/US on 06 November 2006. Specifically, the basic national fee of \$300 (\$150 for a small entity) was due on 13 April 2006. On that date, applicant submitted a transmittal letter (PTO-1390) but failed to provide an authorization to charge a Deposit Account the basic national fee. Applicant therefore failed to pay the basic national fee before expiration of the thirty months from the priority date. Accordingly, pursuant to 37 CFR 1.495(h), this application became abandoned as of midnight 13 April 2006.

The Notification Of Acceptance (Form PCT/DO/EO/903) and Official Filing Receipt mailed on 24 November 2006 is therefore appropriately vacated.

RECOMMENDATION

Applicants may wish to consider filing a petition to the Commissioner under 37 CFR 1.137(a) or (b) requesting that the application be revived. Any petition filed under 37 CFR 1.137(a) and/or a petition under 37 CFR 1.137(b) requesting that the application be revived must meet the criteria indicated in the recent revision of 37 CFR 1.137. This recommendation to file a petition under 37 CFR 1.137(a) or (b) should not be construed as an indication as to whether or not any such petition(s) will be favorably considered.

CONCLUSION

The petition under 37 CFR 1.181 requesting a corrected Notification of Acceptance and Official Filing Receipt is **DISMISSED** without prejudice.

The Notification Of Acceptance (Form PCT/DO/EO/903) and Official Filing Receipt mailed on 24 November 2006 are hereby VACATED.

This application is **ABANDONED** as of midnight 13 April 2006 for failure to timely file the basic national fee.

If reconsideration on the merits of this petition is desired, an appropriate response to this decision must be filed within **TWO (2) MONTHS** from the mail date of this decision.

Any further correspondence with respect to this matter should be addressed to:
Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box
1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the
attention of the Office of PCT Legal Administration.



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